

(Rev. 4/97)

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

**ORIGINAL**

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

Robert Piper 170365

(Enter above the full name of the plaintiff in this action)

v.

D.O.C Rick Kearney

David Jacobs

D.O.C.

(Enter above the full name of the defendant(s) in this action)

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2005 MAY 27 PM 3:30

I. Previous lawsuits

A. Have you begun other lawsuits in state or federal courts dealing with the same facts involved in this action or otherwise relating to your imprisonment?  
YES [ ] NO [✓]

B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs \_\_\_\_\_  
\_\_\_\_\_

Defendants \_\_\_\_\_  
\_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county)

3. Docket number

4. Name of judge to whom case was assigned

5. Disposition (for example: Was the case dismissed? Was it appealed?  
Is it still pending?)

6. Approximate date of filing lawsuit

7. Approximate date of disposition

II. A. Is there a prisoner grievance procedure in this institution? Yes [☒] No [ ]

B. Did you present the facts relating to your complaint in the state prisoner  
grievance procedure? Yes [☒] No [ ]

C. If your answer is YES,

1. What steps did you take? File Grievance  
talk with lieutenant

2. What was the result? Denied

D. If your answer is NO, explain why not

E. If there is no prison grievance procedure in the institution, did you complain to  
prison authorities? Yes [☒] No [ ]

F. If your answer is YES,

1. What steps did you take? wrote the officer up

2. What was the result? Non-Grievable

## III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff Robert James Pifer  
 Address SCI PO Box 500 Georgetown DE 19947

(In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and place of employment of any additional defendants.)

B. Defendant David Jacobs is employed as Correctional Officer  
at SCI

C. Additional Defendants Rick Kearney SCI PO Box  
500 Georgetown DE 19947  
D.O.C

## IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

On the date 3-3-05 I had my rights Violated  
and became assaulted. On 3-3-05 I had my rights  
violated by the ~~three~~ demand of throwing away  
my food and assaulted by being repeatedly  
cap-stunned for asking to see the Lieutenant.

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments.  
Cite no cases or statutes.)

I would like to be compensated for these  
wrong and unlawful actions and to  
be reimbursed for my personal items  
this kind of treatment goes on on a daily  
basis, abuse of authority and power

Signed this 11 day of MAY, 192005

Robert Rifer

(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

5-11-05

Date

Robert Rifer

(Signature of Plaintiff)

also while being moved the officer failed to secure I/m's cell allowing Items that he had to be stolen, then the officer told I/m's cell-mate to pack the remaining Items. Those Items stolen were eight 10x13 envelopes and two boxes of Vitamin C Pills valued at \$32.00. Witnesses are Eugene Cox, Hector Green, Timothy Bratten Keith Daniels, along with other housing tier members

IM: Robert P. Per BLDG. P/T  
SUSSEX CORRECTIONAL INSTITUTION  
P.O. BOX 500 190305  
GEORGETOWN, DELAWARE 19947

Clerk

U.S. District Court  
J. Caleb Rogers Federal Building  
Lock Box 18  
644 N Kings Street  
Wilmington De. 19801